

§ 1-642. Definitions.

The following definitions apply in this Article:

- (1) Collaborative law communication. – A statement, whether oral or in a record, or verbal or nonverbal, that does all of the following:
 - a. Is made to conduct, participate in, continue, or reconvene a collaborative law process.
 - b. Occurs after the parties sign a collaborative law participation agreement and before the collaborative law process is concluded.
- (2) Collaborative law participation agreement. – An agreement by persons to participate in a collaborative law process under this Article.
- (3) Collaborative law process. – A procedure intended to resolve a collaborative matter without intervention by a tribunal in which persons do all of the following:
 - a. Sign a collaborative law participation agreement.
 - b. Are represented by collaborative lawyers.
- (4) Collaborative lawyer. – A lawyer who represents a party in a collaborative law process.
- (5) Collaborative matter. – A dispute, transaction, claim, problem, or issue for resolution, including a dispute, claim, or issue in a proceeding, which is described in a collaborative law participation agreement.
- (6) Law firm. – Any of the following:
 - a. Lawyers who practice law together in a partnership, professional corporation, sole proprietorship, limited liability company, or association.
 - b. Lawyers employed in a legal services organization, or the legal department of a corporation or other organization, or the legal department of a government or governmental subdivision, agency, or instrumentality.
- (7) Nonparty participant. – A person, other than a party and the party's collaborative lawyer, that participates in a collaborative law process.
- (8) Party. – A person that signs a collaborative law participation agreement and whose consent is necessary to resolve a collaborative matter.
- (9) Person. – An individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.
- (10) Proceeding. – Any of the following:
 - a. A judicial, administrative, arbitral, or other adjudicative process before a tribunal, including related prehearing and post-hearing motions, conferences, and discovery.
 - b. A legislative hearing or similar process.
- (11) Prospective party. – A person that discusses with a prospective collaborative lawyer the possibility of signing a collaborative law participation agreement.
- (12) Record. – Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (13) Related to the collaborative matter. – Involving the same transaction or occurrence, nucleus of operative fact, dispute, claim, or issue as the collaborative matter.
- (14) Sign. – With present intent to authenticate or adopt a record to do any of the following:

- a. Execute or adopt a tangible symbol.
 - b. Attach to or logically associate with the record an electronic symbol, sound, or process.
- (15) Tribunal. – Any of the following:
- a. A court, arbitrator, administrative agency, or other body acting in an adjudicative capacity which, after presentation of evidence or legal argument, has jurisdiction to render a decision affecting a party's interests in a matter.
 - b. A legislative body conducting a hearing or similar process. (2020-65, s. 1.)